

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Newgard et al.

Serial No.: To be assigned

Filed: Concurrently herewith

For: *Lactate Dehydrogenase as a Novel Target and Reagent for Diabetes Therapy*

Date: January 20, 2004

Mail Stop Sequence Listing

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**STATEMENT IN SUPPORT OF FILING A
SEQUENCE LISTING UNDER 37 CFR § 1.821(f)**

Sir:

I hereby state that the content of the paper and computer-readable copies of the Sequence listing, submitted concurrently herewith in accordance with 37 CFR § 1.821(c) and (e), are the same. I also hereby state as required by 37 CFR § 1.821(h) that the paper and computer-readable copies contain no new matter, nor do they go beyond the disclosure of the application as filed.

Respectfully submitted,



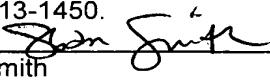
Karen A. Magri
Registration No. 41,965

Myers Bigel Sibley & Sajovec, P.A.
P. O. Box 37428
Raleigh, North Carolina 27627
Telephone: (919) 854-1400
Facsimile: (919) 854-1401
Customer Number 20792

CERTIFICATE OF EXPRESS MAILING

"Express Mail" mailing label number: EV381447960US Date of Deposit: January 20, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Sequence Listing, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Sloan Smith